

Message Text

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ORIGIN EB-08

INFO OCT-01 ARA-14 ISO-00 INT-05 SOE-02 AID-05 CEA-01
CIAE-00 COME-00 DODE-00 DOE-11 H-02 INR-07 L-03
NSAE-00 NSC-05 OMB-01 PM-05 USIA-15 OES-07 SP-02
SS-15 STR-05 TRSE-00 ACDA-12 /126 R

DRAFTED BY EB/OT/STA:G WHITE:CMS
APPROVED BY EB/OT/STA:T O'HERRON
INTERIOR:D CARTY
INTERIOR:D KOIVULA
ARA/AND/V:W SERGEANT
ARA/ECP:W BURSON

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R 050132Z JAN 78
FM SECSTATE WASHDC
TO AMEMBASSY CARACAS

UNCLAS STATE 001836

E.O. 11652: N/A

TAGS: EMIN, ENRG, US

SUBJECT: RECIPROCITY PROVISIONS OF MINERAL LEASING ACT OF
1920

REF: 77 STATE 71742

1. SECTION 1 OF THE MINERAL LEASING ACT OF 1920 (41 STAT.
437, 30 USC 181) PROVIDES THAT DEPOSITS OF COAL,
PHOSPHATE, SODIUM, POTASSIUM, OIL, OIL SHALE OR GAS, AND
LANDS CONTAINING SUCH DEPOSITS OWNED BY THE UNITED STATES,
SHALL BE SUBJECT TO DISPOSITION UNDER THE ACT TO,
"CITIZENS OF THE UNITED STATES OR TO ASSOCIATIONS OF SUCH
CITIZENS, OR TO ANY CORPORATION ORGANIZED UNDER THE LAWS OF
THE UNITED STATES, OR ANY STATE OR TERRITORY THEREOF..."

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THIS SECTION FURTHER PROVIDES THAT "CITIZENS OF ANOTHER
COUNTRY, THE LAWS, CUSTOMS OR REGULATIONS OF WHICH DENY
SIMILAR OR LIKE PRIVILEGES TO CITIZENS OR CORPORATIONS OF
THIS COUNTRY, SHALL NOT BY STOCK OWNERSHIP, STOCK
HOLDING OR STOCK CONTROL, OWN ANY INTEREST IN ANY LEASE
ACQUIRED UNDER THE PROVISIONS OF THIS CHAPTER."

2. VENEZUELA IS CURRENTLY CONSIDERED TO EXTEND
RECIPROCITY UNDER THE MINERAL LEASING ACT OF 1920. U.S.

DEPARTMENT OF INTERIOR HAS REQUESTED A REVIEW OF STATUS
OF RECIPROCITY UNDER THIS LEGISLATION.

3. ACTION REQUESTED: EMBASSY IS REQUESTED TO CONFIRM
THAT RECIPROCITY IS STILL EXTENDED IN VENEZUELA. DOES
VENEZUELA HAVE ANY MINERAL LEASING LAWS, CUSTOMS, OR
REGULATIONS WHICH WOULD BAR U.S. CITIZENS OR
CORPORATIONS FROM OWNING ANY INTEREST (STOCK OWNERSHIP,
STOCK HOLDINGS, STOCK CONTROL, OR OTHER MEANS) IN ANY
LEASE OF DEPOSITS OF MINERALS INCLUDING BUT NOT LIMITED
TO COAL, PHOSPHATE, SODIUM, POTASSIUM, OIL, OIL SHALE,
OR GAS, AND LANDS CONTAINING SUCH DEPOSITS? IF THERE
ARE RESTRICTIONS ON U.S. OWNERSHIP OF MINERALS, DOES THE
COUNTRY HAVE ANY PROVISIONS FOR RECIPROCAL RELAXATION OF
THESE RESTRICTIONS, OR ARE CONCESSIONS GRANTED ON CASE
BY CASE BASIS? CHRISTOPHER

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NNN

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